



DEPARTMENT OF LABOR

Mine Safety and Health Administration

30 CFR Part 75

[Docket No. MSHA–2025–0084]

RIN 1219-AC21

Ventilation Plan Approval Criteria

AGENCY: Mine Safety and Health Administration, Department of Labor.

ACTION: Proposed rule; reopening of comment period and notice of public hearing.

SUMMARY: In response to a public request, the Mine Safety and Health Administration (MSHA) is reopening the rulemaking record and is scheduling a virtual public hearing on the Agency’s proposed rule published on July 1, 2025, titled, “*Ventilation Plan Approval Criteria.*”

DATES: *Reopening of the comment period:* MSHA is reopening the comment period for the proposed rule published on July 1, 2025 (90 FR 28443) for additional public comments. All new comments must be received or postmarked by 11:59 p.m. Eastern Time on September 30, 2026.

Public Hearing: The virtual public hearing will be held on September 16, 2026.

Information on how to participate is listed below under SUPPLEMENTARY INFORMATION.

ADDRESSES: You may submit comments and informational materials, identified by Docket No. MSHA–2025–0084, electronically at <https://www.regulations.gov>. Follow the online instructions for making electronic submissions. You should not include personal or proprietary information that you do not wish to disclose publicly. If you mark parts of a comment as “business confidential” information, MSHA will not post those parts of the comment. Otherwise, MSHA will post all comments without change, including any personal information provided. MSHA cautions against submitting personal information. Interested parties may present verbal testimony at the virtual public hearing. For more information on the public hearing, see SUPPLEMENTARY INFORMATION.

FOR FURTHER INFORMATION CONTACT: Corliss A. Josephs-Conway, Acting Director, Office of Standards, Regulations, and Variances, MSHA at 202-693-9440 (voice). This is not a toll-free number.

SUPPLEMENTARY INFORMATION:

I. Background

On July 1, 2025, MSHA published the proposed rule, “*Ventilation Plan Approval Criteria*” (90 FR 28443). The proposal would eliminate the authority given to the District Manager in 30 CFR 75.371 to require additional provisions in ventilation control plans. The proposed rule opened a 30-day public comment period, that was extended an additional 30 days, until September 2, 2025 (90 FR 34406). During the comment period, MSHA received a request for a public hearing on the proposed rule. MSHA is reopening the comment period on the proposal and announcing a virtual public hearing to allow industry, labor, and other interested parties an additional opportunity to present oral statements, written comments, and other information on the proposed rule.

II. Virtual Public Hearing

MSHA will hold a fully virtual public hearing to accept comments from the public on the proposed rule, “*Ventilation Plan Approval Criteria*” (90 FR 28443), on September 16, 2026. The event will begin at 9:00 a.m. Eastern Time and will end after the last presenter speaks.

Date and Time	Virtual Meeting Access	Contact number
September 16, 2026, 9:00 a.m. Eastern Time	Virtual meeting accessible online at: https://msha.gov/regulations/rulemaking/roof-control-and-ventilation-public-hearings	202-693-9440

The virtual public hearing will begin with an opening statement from MSHA, followed by an opportunity for members of the public to make oral presentations. Speakers and other attendees may present information to MSHA for inclusion in the rulemaking record. The hearing

will be conducted in an informal manner. Formal rules of evidence and cross examination will not apply.

Those who wish to speak during the virtual public hearing are asked to register at: <https://msha.gov/regulations/rulemaking/roof-control-and-ventilation-public-hearings>. Speakers should register by 11:59 p.m. Eastern Time on September 11, 2026. If you do not register in advance and you wish to speak, you will be called after all those who registered have spoken.

A verbatim transcript of the hearing will be prepared and made a part of the rulemaking record. A copy of the transcript will be available to the public. MSHA will make the transcript available at <https://www.regulations.gov>.

III. Request for Comments

MSHA is interested in receiving comments from all members of the mining community and all interested stakeholders. MSHA will accept comments from any interested party, including those not presenting oral statements during the virtual public hearing. Where possible, specific examples to support a commenter's rationale are strongly encouraged.

MSHA will accept post-hearing written comments and other appropriate information for the rulemaking record from any interested party, including those not presenting oral statements, received by 11:59 p.m. Eastern Time on September 30, 2026. Comments previously submitted on the proposed rule do not need to be resubmitted and will be fully considered in development of the final rule.

(Authority: 30 U.S.C. 811)

Wayne D. Palmer

Assistant Secretary of Labor

for Mine Safety and Health Administration.

